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9 NVIDIA CORPORATION

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

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15 The NVIDIA GPU Litigation
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Case No. C 08-04312 JW

**STIPULATION REGARDING
BRIEFING SCHEDULE FOR RULE
12 MOTIONS**

1 WHEREAS, this Court in its Order dated July 2, 2009 moved the September 28, 2009
2 hearing date in the Stipulation and Order submitted by the parties to October 19, 2009 at 9 a.m.,
3 and instructed the parties that all briefing shall be completed on or before September 28, 2009;

4 WHEREAS, NVIDIA Corporation's ("NVIDIA's") reply brief on its Motion to Dismiss
5 the Consolidated Amended Complaint must currently be filed by September 28, 2009;

6 WHEREAS, the partner in charge of this matter for NVIDIA is out of the country on a
7 long-planned family vacation during the period prior to September 28, and will not return to the
8 United States until Sunday September 27, and the senior associate on the matter has conflicts
9 during the preceding week as well due to the Jewish holidays;

10 WHEREAS, an extension until October 1 for the reply brief would not deprive the Court
11 of sufficient time to review the papers in advance of the October 19 hearing; and

12 WHEREAS, the October 19, 2009 hearing date and all other deadlines set out in the July
13 2, 2009 Order would remain unaffected;

14 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and NVIDIA,
15 through their counsel of record and Interim Lead Class Counsel for Plaintiffs, that NVIDIA may
16 file its reply brief on the motion to dismiss by October 1, 2009.

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18 Dated: September 16, 2009

ROBERT P. VARIAN
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22 /s/ Robert P. Varian
23 ROBERT P. VARIAN
24 Attorneys for Defendant
25 NVIDIA CORPORATION
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1 Dated: September 16, 2009

JEFF S. WESTERMAN
SABRINA S. KIM
Millberg LLP

4 /s/ Jeff S. Westerman


JEFF S. WESTERMAN
Interim Lead Class Counsel for
Plaintiffs and All Others Similarly Situated

7 The filer attests that concurrence in the filing of the document has been obtained from
8 each of the other signatories, or from the single signatory (in the case, e.g., of a declaration)
9 which shall serve in lieu of their signature(s) on the document.
10

12 IT IS SO ORDERED:

13 The Stipulation is found as MOOT. Reply memorandums were filed as stipulated by the parties.
14 The hearing was held on October 19, 2009 and the matter was submitted to the Court after oral
15 argument for further decision.

16 Dated: November 5, 2009


United States District Court